

1 ANNETTE L. HURST (SBN 148738)
2 ahurst@orrick.com
3 DANIEL D. JUSTICE (SBN 291907)
4 djustice@orrick.com
5 ORRICK, HERRINGTON & SUTCLIFFE LLP
6 405 Howard Street
7 San Francisco, CA 94105-2669
8 Telephone: +1 415 773 5700
9 Facsimile: +1 415 773 5759

10 WILLIAM W. OXLEY (SBN 136793)
11 woxley@orrick.com
12 ALYSSA CARIDIS (SBN 260103)
13 acaridis@orrick.com
14 ORRICK, HERRINGTON & SUTCLIFFE LLP
15 355 S. Grand Avenue
16 Los Angeles, CA 90071
17 Telephone: +1 213 629 2020
18 Facsimile: +1 213 612 2499

19 *Attorneys for GitHub, Inc. and Microsoft Corporation*

20 UNITED STATES DISTRICT COURT
21 NORTHERN DISTRICT OF CALIFORNIA
22 OAKLAND DIVISION

23 J. DOE 1, et al.,
24 Individual and
18 Representative Plaintiffs,
19 v.
20 GITHUB, INC., et al.,
21 Defendants.

22 AND CONSOLIDATED ACTION
23

24 Case No. 4:22-cv-6823-JST
Consolidated w/ Case No. 4:22-cv-7074-JST

**DEFENDANTS GITHUB AND
MICROSOFT'S LOCAL RULE 79-5(f)
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

Date: September 14, 2023
Time: 2:00 p.m.
Courtroom: 6, 2d Floor
Judge: Hon. Jon S. Tigar

Complaint Filed: December 7, 2022

1 Pursuant to Civil Local Rules 7-11 and 79-5(f), GitHub and Microsoft hereby move to file
 2 under seal portions of Defendants GitHub and Microsoft's Motions to Dismiss Portions of the
 3 First Amended Complaint in Consolidated Actions, because Plaintiffs have asserted that such
 4 information should be under seal. ECF No. 97. In support of this request, GitHub and Microsoft
 5 submit attached hereto, a copy of their Motions to Dismiss with highlighted portions indicating
 6 the information subject to this request to seal and a proposed order.

7 Specifically, GitHub and Microsoft seek an order sealing the following information that
 8 Plaintiffs assert should be under seal:

Portion to be Sealed	Basis for Sealing Document or Portions Thereof
Highlighted portions of GitHub and Microsoft's Motions to Dismiss Portions of the First Amended Complaint in Consolidated Actions	The highlighted portions reflect information that Plaintiffs have asserted should be under seal.

14 The only purpose for this sealing request is to observe Plaintiffs' request for sealing until
 15 such time as the propriety of the designation is fully adjudicated. GitHub and Microsoft object to
 16 the designations and to maintaining the redacted portions under seal.

17

18 Dated: June 29, 2023

Orrick, Herrington & Sutcliffe LLP

19

20

By: /s/ Annette L. Hurst

21

ANNETTE L. HURST

22

Attorneys for Defendants
GitHub, Inc. and Microsoft Corp.

23

24

25

26

27

28